



**The Commonwealth of Massachusetts**

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**DEPARTMENT OF  
TELECOMMUNICATIONS AND ENERGY**

D.T.E. 04-68

August 12, 2004

Petition of Boston Edison Company d/b/a NSTAR Electric for Approvals Relating to the Assignment of Purchase Power Agreements with Ocean State Power and Ocean State Power II.

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ORDER OF NOTICE

The Company, Boston Edison Company, shall, no later than fourteen (14) days prior to Wednesday, September 8, 2004, publish the attached Notice of Public Hearing and Procedural Conference in The Boston Globe or the Boston Herald. The Company shall also serve a copy of the notice on the Chairmen of the Board of Selectmen, Mayors, Town Clerks and City Clerks of the towns and cities in the Company's service area, post a copy of the notice in each town or city hall in the Company's service area until the comment period has expired, and provide actual notice to any person who has filed a request for notice with the Company. The Company shall serve a copy of the notice to the distribution lists in Boston Edison Company, D.T.E. 03-117, and Boston Edison Company, D.P.U./D.T.E. 96-23, and make return of service and proof of publication at the public hearing.

By Order of the Department,

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Mary L. Cottrell, Secretary



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NOTICE OF PUBLIC HEARING AND PROCEDURAL CONFERENCE

On July 16, 2004, pursuant to G.L. c. 164, §§ 1A, 1G, 76, 94, and 94A, Boston Edison Company d/b/a NSTAR Electric ("BECo" or "Company"), filed with the Department of Telecommunications and Energy ("Department") for approval of a Purchase and Sale Agreement with TransCanada Energy Ltd. ("TransCanada"), and approval of ratemaking treatment relating to the Purchase and Sale Agreement.

The Company is a party to purchase power agreements ("PPAs") with Ocean State Power and Ocean State Power II. Under the Ocean State Power PPA, which runs through December 31, 2010, Ocean State Power sells to BECo, and BECo buys from Ocean State Power, electricity produced at a generation facility in Burrillville, Rhode Island. Under the Ocean State Power II PPA, which runs through September 30, 2011, Ocean State Power II sells to BECo, and BECo buys from Ocean State Power II, electricity from the same generation facility.

In the Petition, the Company requests that the Department approve a Purchase and Sale Agreement between BECo and TransCanada that was the result of a public auction conducted in 2003. The Purchase and Sale Agreement would permanently assign BECo's two Ocean State Power PPAs to TransCanada, and would relieve the Company of its obligations and liabilities to purchase or accept electricity produced by the Ocean State Power and Ocean State Power II facilities. Under the Purchase and Sale Agreement, the Company would be required to pay TransCanada one dollar, plus make certain monthly entitlement payments through September 2011. The Company states that the Purchase and Sale Agreement will result in approximately \$12 million of customer savings on a net present value basis. The Company also requests that the Department approve its proposal to pass the costs relating to the Purchase and Sale Agreement through its transition charge.

The Department will conduct a public hearing to receive comments on the Company's filing at **2:00 p.m. on Wednesday, September 8, 2004**, at the Department's offices -- One South Station, Boston, Massachusetts, 02110. Following the public hearing, the Department will conduct a procedural conference.

Any person who wishes to submit written comments may do so by filing an original and five (5) copies of such comments with: Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station, Boston, Massachusetts 02110, no later than the close of business **Friday, September 3, 2004**.

Any person seeking to intervene in this investigation must file an original and five (5) copies of a written petition for leave to intervene or to participate in this proceeding no later than the close of business (5:00 p.m.) **Friday, September 3, 2004**, with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station, Boston, Massachusetts 02110. A petition to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department -- not mailing -- constitutes filing and determines whether a petition is timely filed. A late-filed petition may be disallowed as untimely, unless good cause is shown for waiver. To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.

In addition to paper filings with the Secretary of the Department, all written pleadings or comments must be submitted to the Department in electronic format by e-mail attachment to [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us) and [joan.evans@state.ma.us](mailto:joan.evans@state.ma.us). The text of the e-mail must specify: (1) an easily identifiable case caption; (2) docket number (D.T.E. 04-68); (3) name of the person or company submitting the filing; and (4) a brief descriptive title or document (e.g., comments or petition to intervene). The electronic filing should also include the name, title and phone number of a person to contact in the event of questions about the filing. Text responses should be written in either Word Perfect (naming the document with a ".wpd" suffix) or in Microsoft Word, (naming the document with a ".doc" suffix). Data or spreadsheet responses should be compatible with Microsoft Excel. Documents submitted in electronic format will be posted on the Department's Website, [www.state.ma.us/dpu/](http://www.state.ma.us/dpu/).

A copy of the Company's filing is on file at the Department's offices, One South Station, Boston, Massachusetts for public view during business hours. Copies also are on file for public view at NSTAR Electric, 800 Boylston Street, Boston, Massachusetts. Any person desiring further information regarding the Company's filing should contact Robert N. Werlin, Esq., at (617) 951-1400. Any person desiring further information regarding this notice should contact Joan Foster Evans, Hearing Officer, Department of Telecommunications and Energy, at (617) 305-3613.